

DOCKET FILE COPY ORIGINAL
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

TOM PUTMAN
R&ROG

OCT 26 2004

OFFICE OF
MANAGING DIRECTOR

Larry Harp
General Manager
WWSJ AM
Post Office Box 451
St. Johns, MI 48879

Re: Request for Waiver of Late Payment Penalty for
Fiscal Year 2003 Regulatory Fees for WWSJ AM
Fee Control No. 00000RROG-04-067

Dear Mr. Harp:

This is in response to your request dated April 19, 2004 for waiver of the penalty for late payment of your fiscal year (FY) 2003 regulatory fees for WWSJ AM. Our records indicate that your fee payment of \$600.00 was received on September 29, 2003 but that we have not yet received your late payment penalty of \$150.00.

You state in your request that you are a small market daytime station, with an urban gospel music format. You assert financial hardship in that your revenues barely cover the cost of keeping the station on the air.

Section 9(c) of the Communications Act of 1934, as amended, requires the Commission to assess a late payment penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that WWSJ AM did not file its FY 2003 regulatory fee by September 25, 2003, the final date of the filing window for FY 2003. See 47 C.F.R. §1.1157; see also *Assessment and Collection of Regulatory Fees for Fiscal Year 2003*, Report and Order, 18 FCC Rcd 15, 985 (2003) (2003 Report and Order); 47 U.S.C. §159. The Commission issued public notices announcing the date on which the FY 2003 regulatory fees were due. See Public Notice, *Regulatory Fees Due September 24, 2003*, DA 03-2557 (July 30, 2003); Public Notice, *Federal Communications Commission Extends the Filing Deadline Date of FY 2003 Regulatory Fee*, DA 03-2907 (Sept. 22, 2003) (extending deadline to September 25, 2003). We therefore deny your request for waiver of the penalty for late payment of the FY 2003 regulatory fee.

Larry Harp

2.

Payment of WWSJ AM's late payment penalty of \$150.00 for FY 2003 is now due. The late payment penalty must be filed together with a Form 159 (copy enclosed), within 30 days from the date of this letter. If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

Enclosure

WWJ
1580 AM

00000 REG-04-067

Tom

PO Box 451 St Johns, MI 48879 ph(989) 2247911 Fax (989) 224-4683

LISTEN LIVE@www.joy1580.com


April 19, 2004

Office of Managing Director
445 12th Street SW
Washington, DC 20554
Room 1A 625

To Whom It May Concern:

Per our conversation with the office of Claudette E. Pride, they directed us to write a letter to this office requesting a waiver for the 25% late fee assessed to our company for the regulatory fee. We are a small market daytime station, with an urban gospel music format. We are expressing financial hardship in that the revenue barely covers the cost of keeping the station on the air. Attached is a copy of the letter received from the FCC regarding the penalty; Thank you for your assistance

Larry Harp


General Manager
Attach;

RECEIVED FCC
2004 APR 26 P 2:32
FINANCIAL OPERATIONS
CENTER

Working Winning Souls for Jesus

MAY 03 2004

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
March 18, 2004

WWSJ
PO Box 451
Saint Johns, MI 48879

Re: 04AB000048
Call Sign: WWSJAM

Dear Licensee:

This letter is notice that you were late paying your 2003 annual regulatory fee(s). Payment of regulatory fees was due to the Federal Communications Commission (FCC) by 11:59 pm, September 25, 2003. Your fee payment of \$600.00 was received on 09/29/03.

In accordance with Section 9 [47 USC 159(c) (1)], a 25 percent late penalty in the amount of \$150.00 has been assessed. Unless you can show just cause why the penalty is inapplicable, payment is due within 30 days from the date of this letter.

Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358340, Pittsburgh, PA 15251-5340, along with a copy of the enclosed billing invoice.

If you have any documentation that will establish that the fee was remitted and received at Mellon Bank by September 25, 2003, such as a carrier dated receipt, please include this documentation with your response and your record(s) will be adjusted accordingly.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined in 47 CFR, Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payer's pending applications to dismissal, and may require a delinquent payer to show cause why any existing instruments of authorization should not be revoked. Further sanctions include interest charges and the full cost of collection to the Federal government pursuant to Section 3720A of the Internal Revenue Code, 31 USC 3717, and the provision of the Debt Collection Improvement Act, 31 USC 3717.

If you have any questions, you may contact my office at (202) 418-1995.

Sincerely,



Claudette E. Pride, Chief
Revenue and Receivables Operations Group

Enclosure